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Attorneys for Plaintiffs Cerveceria Modelo, S.A. de C.V.  
and Marcas Modelo, S.A. de C.V.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CERVECERIA MODELO, S.A. DE C.V. and	:
MARCAS MODELO, S.A. DE C.V.,	:
	: Civil Action No. 07 CV 7998 (HB)
Plaintiffs,	:
	:
-against-	: <b>NOTICE OF MOTION</b>
	:
USPA ACCESSORIES LLC d/b/a CONCEPT ONE	: <b>ORAL ARGUMENT REQUESTED</b>
ACCESSORIES,	:
	:
Defendant.	:
-----X	:

**PLEASE TAKE NOTICE** that, upon the Memorandum of Law in Support of Motion to Dismiss Third Counterclaim and to Strike Demand for Punitive Damages, the Declaration of Joanna A. Diakos in Support of Motion to Dismiss with accompanying exhibits, Plaintiffs Cerveceria Modelo, S.A. de C.V. and Marcas Modelo, S.A. de C.V. will move this Court, before the Honorable Harold Baer, District Court Judge, at the United States Courthouse for the Southern District of New York, Room 23B, 500 Pearl Street, New York, New York 10007, on December 7, 2007 at 9:30 a.m. or as soon thereafter as counsel can be heard, for an Order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure dismissing with prejudice Defendant USPA Accessories LLC d/b/a Concept One Accessories' third counterclaim for

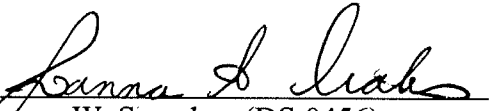
tortious interference with business relations and striking its request for punitive damages, and for such other and further relief as the Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to Local Rule 6.1(b), answering papers, if any, must be served within ten business days after service of the moving papers and any reply papers shall be served within five business days after service of the answering papers.

Dated: New York, New York  
November 13, 2007

Respectfully submitted,

KIRKPATRICK & LOCKHART  
PRESTON GATES ELLIS LLP

By:   
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